Critics Say 2d Gun Used in RFK Assassination

Refiring of Sirhan's Revolver Ordered

Post 8/15/75 Reuter

SIRHAN B. SIRHAN
. . . convicted assassin

LOS ANGELES, Aug. 14—A Superior Court judge today ordered that the gun used by Sirhan B. Sirhan in the assassination of Sen. Robert F. Kennedy (D-N.Y.) here in 1968 be refired to test a theory that there was a second gunman at the scene.

Judge Robert Wenke agreed to the firing in the face of mounting pressure from the news media, witnesses at the shooting and Sirhan that the .22 caliber, eight-shot revolver be tested.

Some ballistics experts have alleged since Sirhan was convicted in 1969 that some of the bullets found in the five people wounded with Kennedy in the shooting in the kitchen of the Ambassador Hotel in June, 1968, could not have come from Sirhan's gun because marks on two of the bullets were different.

Among those joined in Superior Court today to get a re-testing of the evidence were CBS, the County of Los Angeles, the California State Attorney General's department and Paul Schrade, a member of Kennedy's campaign team, who was wounded in the shooting June 5 following Kennedy's victory in the California Democratic presidential primary.

The court's agreement to a re-firing of the gun sometime after Sept. 11 came after Wenke asked all lawyers assembled: "Is there any dispute that the gun should be fired?"

When he got no reply, Wenke said, "It is so ordered."

He instructed the attorneys to get together before Sept. 11 to try to work out which ballistics expert should handle the re-firing of the gun and what procedures should be used.

Sirhan's lawyer, Barry Gold, asked that the Palestinian immigrant, serving a life sentence in San Quentin Prison, be allowed to have his own ballistics expert present.

Among the conspiracy theories advanced since the Kennedy assassination was one that a hotel security guard was seen by reporters to draw his gun during the shooting in the hotel kitchen.

The Los Angeles District Attorney's office which obtained a death sentence against Sirhan, had resisted reopening the evidence on the ground that it could find no new proof of conspiracy.

Sirhan's death sentence was commuted to a life sentence in 1972 when the California Supreme Court ruled the death penalty unconstitutional.